

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: ) Before the Examiner  
Günther SCHMID, et al. ) Not Yet Assigned  
Serial No. 10/535,517 ) Group Art Unit \_\_\_\_  
Filed )  
IMPLANT, THERAPEUTIC AGENT )  
AND MICELLE ) August 17, 2005

TRANSMITTAL OF DECLARATION OF INVENTORS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Box PCT**

Sir:

On May 13, 2005, the above-identified patent application was filed by Express Mail (Receipt No. EV641072900US-see copy of returned postcard attached) with an unsigned Declaration. Applicants transmit herewith a fully executed Declaration, along with the small entity surcharge therefore of \$65.00 (37 CFR 1.492(e)) which is to be charged to a credit card. The credit card authorization is enclosed.

08/22/2005 ATRAN1 00000061 10535517

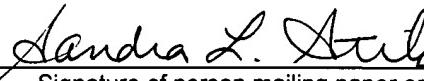
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Date of Deposit August 17, 2005

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Signature of person mailing paper or fee

No additional fees are believed to be due, but if any additional fees are deemed required, please charge such fees to Deposit Account No. 23-3030.

Respectfully submitted

By: James M. Durlacher  
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8310-4:JMD:#359257:ss

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in this Submission	9	Attorney Docket Number	8310-4
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**ENCLOSURES (check all that apply)**

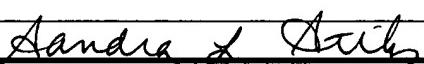
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached see PTO-2038 form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<b>Transmittal of Declaration of Inventors; Declaration &amp; Power of Attorney</b>
<input type="checkbox"/> Certified Copy of Priority Documents		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	James M. Durlacher <b>Woodard, Emhardt, Moriarty, McNett &amp; Henry LLP</b>
Signature	
Date	August 17, 2005

**Certificate of Mailing**

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on this date: August 17, 2005

Typed or printed name	Sandra L. Stilz		
Signature		Date	August 17, 2005

# FEE TRANSMITTAL FOR FY 2005

Effective 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act (H.R. 4818).

 Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$65.00)

Complete if Known

Application Number	10/535,517
Filing Date	May 13, 2005
First Named Inventor	Gunther SCHMID
Group Art Unit	
Examiner Name	Not Yet Assigned
Attorney Docket Number	8310-4

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  Other (please identify): \_\_\_\_\_

Deposit Account: Deposit Account Number 23-3030 Deposit Account Name Woodard, Emhardt, Moriarty, McNett & Henry LLP

## See PTO 2038 Form

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION:

## 1. BASIC FILING, SEARCH AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	\$ 0
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

## 2. EXCESS CLAIM FEES

## Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee	Fee Paid (\$)
*	- 20 or HP = *	x 50	= (\$ 0			
(HP = highest number of total claims paid for, if greater than 20)						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		360	\$ 0
*	- 3 or HP = *	x 200	= (\$ 0			
(HP = highest number of independent claims paid for, if greater than 3)						

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100 = - / 50 = (round up to a whole number) x = 0			0	Fee Paid (\$)

## 4. OTHER FEE(S)

Non-English Specification.

Other: Fee for late filing of Oath or Declaration \$65.00

## SUBMITTED BY:

Name (Print/Type):	James M. Durlacher	Registration No.: (Attorney/Agent)	28,840	Telephone:	(317) 634-3456
Signature:	James M. Durlacher			Date:	August 17, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type):	Sandra L. Stilz	Date:	August 17, 2005
Signature:	Sandra L. Stilz		